

HOUSE BILL 998

F5, F1, E4

(11r2842)

ENROLLED BILL

— *Economic Matters/Education, Health, and Environmental Affairs* —

Introduced by **Delegates Valentino-Smith, Boteler, Conaway, Dwyer, K. Kelly, McComas, and ~~Minnick~~ Minnick, Burns, Haddaway-Riccio, Hershey, McHale, and Schulz**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Militia – Employment for Military Spouses – Teachers, Health Care**
3 **Practitioners, and Individuals in Business Occupations and Professions**

4 FOR the purpose of *requiring the State Department of Education to develop a certain*
5 *form relating to teacher certification and tenure and to post the form on its Web*
6 *site*; requiring the Adjutant General or the Adjutant General’s designee to assist
7 certain military spouses in finding certain employment under certain
8 circumstances; ~~requiring certain teachers to be granted tenure under certain~~
9 ~~circumstances~~; and generally relating to employment for military spouses.

10 BY adding to
11 Article – Education
12 Section 6-201.1

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 Annotated Code of Maryland
 2 (2008 Replacement Volume and 2010 Supplement)

3 ~~BY adding to~~
 4 ~~Article — Education~~
 5 ~~Section 6-201.1~~
 6 ~~Annotated Code of Maryland~~
 7 ~~(2008 Replacement Volume and 2010 Supplement)~~

8 ~~BY repealing and reenacting, without amendments,~~
 9 ~~Article — Education~~
 10 ~~Section 6-202(b)(1)~~
 11 ~~Annotated Code of Maryland~~
 12 ~~(2008 Replacement Volume and 2010 Supplement)~~

13 ~~BY repealing and reenacting, with amendments,~~
 14 ~~Article — Education~~
 15 ~~Section 6-202(b)(3)~~
 16 ~~Annotated Code of Maryland~~
 17 ~~(2008 Replacement Volume and 2010 Supplement)~~

18 BY repealing and reenacting, with amendments,
 19 Article – Public Safety
 20 Section 13-302
 21 Annotated Code of Maryland
 22 (2003 Volume and 2010 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 24 MARYLAND, That the Laws of Maryland read as follows:

25 Article – Education

26 6-201.1.

27 THE DEPARTMENT SHALL:

28 (1) DEVELOP AN INFORMATIONAL FORM THAT LISTS AND
 29 EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER TO OBTAIN
 30 CERTIFICATION AND TENURE IN THE STATE; AND

31 (2) POST THE FORM ON ITS WEB SITE.

32 ~~Article — Education~~

33 ~~6-201.1.~~

~~THE DEPARTMENT SHALL:~~

~~(1) DEVELOP AN INFORMATIONAL FORM THAT LISTS AND EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER TO OBTAIN CERTIFICATION AND TENURE IN THE STATE; AND~~

~~(2) POST THE FORM ON ITS WEB SITE.~~

~~6-202.~~

~~(b) (1) Except as provided in paragraph (3) of this subsection, the probationary period of employment of a certificated employee in a local school system shall cover a period of 3 years from the date of employment and shall consist of a 1-year employment contract that may be renewed by the county board.~~

~~(3) (i) Subject to subparagraph (ii) of this paragraph, if a certificated employee has achieved tenure in a local school system in the State and moves to another local school system in the State, OR AN INDIVIDUAL WHO HAS ACHIEVED TENURE OR AN EQUIVALENT LEVEL OF CERTIFICATION OR LICENSURE IN AN OUT-OF-STATE JURISDICTION AND MOVES TO A JURISDICTION IN THE STATE, that employee OR INDIVIDUAL shall be tenured if the employee's OR INDIVIDUAL'S contract is renewed after 1 year of probationary employment in the local school system to which the employee OR INDIVIDUAL relocated if:~~

~~1. The employee's OR INDIVIDUAL'S final evaluation in the local school system OR OUT-OF-STATE JURISDICTION from which the employee OR INDIVIDUAL departed is satisfactory or better; and~~

~~2. There has been no break in the employee's OR INDIVIDUAL'S service between the two systems of longer than 1 year.~~

~~(ii) A local school system may extend the probationary period for a certificated employee OR INDIVIDUAL subject to subparagraph (i) of this paragraph for a second year from the date of employment if:~~

~~1. The employee OR INDIVIDUAL does not qualify for tenure at the end of the first year based on established performance evaluation criteria; and~~

~~2. The employee OR INDIVIDUAL demonstrates a strong potential for improvement.~~

Article – Public Safety

1 13-302.

2 (a) (1) The Adjutant General may appoint:

3 (i) a chief of State operations;

4 (ii) an executive officer;

5 (iii) an administrative officer;

6 (iv) the directors of military installations, procurement, military
7 support to civil authorities, State personnel, finance, and veterans affairs;

8 (v) the site managers for military reservations; and

9 (vi) a grants administrator.

10 (2) The executive officer and directors appointed under paragraph (1)
11 of this subsection serve at the pleasure of the Adjutant General.

12 (b) (1) The Adjutant General shall keep all records required to be kept
13 and filed with the Adjutant General's office.

14 (2) On or before each October 15, the Adjutant General shall submit to
15 the Governor a detailed statement of all the receipts and expenditures for military
16 purposes during the year ending the previous September 30.

17 (c) (1) **ON REQUEST, THE ADJUTANT GENERAL OR THE ADJUTANT
18 GENERAL'S DESIGNEE SHALL ASSIST THE SPOUSE OF A MEMBER OF THE
19 MILITARY WHO RESIDES IN THE STATE OR IS TRANSFERRED TO THE STATE IN
20 FINDING EMPLOYMENT IN THE STATE.**

21 (2) **THE ASSISTANCE PROVIDED UNDER PARAGRAPH (1) OF THIS
22 SUBSECTION MAY INCLUDE PROVIDING:**

23 (i) **THE INFORMATIONAL FORM DEVELOPED BY THE STATE
24 DEPARTMENT OF EDUCATION ~~UNDER § 6-201.1 OF THE EDUCATION ARTICLE~~
25 ~~THAT LISTS AND EXPLAINS THE VARIOUS PATHS THAT CAN BE TAKEN IN ORDER~~
26 ~~TO OBTAIN CERTIFICATION AND TENURE IN THE STATE UNDER § 6-201.1 OF~~
27 THE EDUCATION ARTICLE;**

28 (ii) **INFORMATION RELATING TO HEALTH OCCUPATIONS IN
29 THE STATE THAT PERMIT RECIPROCAL LICENSURE ~~BY ENDORSEMENT;~~ AND**

1 **(III) INFORMATION RELATING TO BUSINESS OCCUPATIONS**
2 **IN THE STATE THAT PERMIT RECIPROCAL LICENSURE ~~BY ENDORSEMENT~~.**

3 **[(c)] (D)** (1) The Adjutant General is responsible for:

4 (i) each armory that the State owns; and

5 (ii) each building or other property purchased, occupied, or
6 leased by or on behalf of the State military forces.

7 (2) If the Adjutant General rejects an application to use an armory for
8 nonmilitary purposes, the application is subject to review and approval by the Board of
9 Public Works, the Adjutant General, and the commanding officer of the unit occupying
10 that armory.

11 (3) The Adjutant General may adopt regulations to enforce this
12 subsection.

13 **[(d)] (E)** The Adjutant General is the custodian of battle flags and war
14 records and is responsible for their proper care and preservation.

15 **[(e)] (F)** The Adjutant General may employ employees as required.

16 **[(f)] (G)** The Adjutant General shall carry out the Governor's policies
17 concerning matters specified in this title and Title 14, Subtitles 1, 2, and 4 of this
18 article.

19 **[(g)] (H)** The seal of the Adjutant General's office shall be delivered by the
20 Adjutant General to the Adjutant General's successor.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.